



State of Nevada Department of Business & Industry

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Autumn Chase Homeowner's Association Elects New Board, Looks to the Future

Las Vegas – Nevada Real Estate Division's Ombudsman for Owners in Common-Interest Communities, Kara Jenkins, yesterday presided over the unit owners' meeting of the Autumn Chase Homeowners Association (HOA) to elect three members to the board of directors. The elections follow the October removal of the entire HOA executive board by the Commission for Common-Interest Communities and Condominium Hotels (CICCH).

The removal of the three member executive board came after the Real Estate Division brought the case against Joseph Bitsky, Barbara Bitsky and Hellen Murphy to hearing before the Commission. The Division alleged that the respondents knowingly and willfully committed multiple violations of state law including: failure to hold proper elections, acting outside of their scope of authority as provided by governing documents, failure to prepare and audit financial records and using association funds for personal use 148 times.

The Commission found that Joseph Bitsky and Barbara Bitsky had committed a total of 248 and 261 violations of state law respectively. They were assessed administrative fines and fees totaling more than \$115,000 and are precluded from serving on an HOA board within the state of Nevada indefinitely. Hellen Murphy was not fined, but was also precluded from serving on an HOA board. Commissioners expressed concern that she too was a victim of the Bitskys.

During the meeting, the ballots were opened and tallied. After the elections were finalized, the meeting was adjourned and the first Executive Board meeting under the new leadership was called to order. The board proceeded to elect officers and discussed the process of hiring a licensed Community Manager. The Real Estate Division returned funds and records to the

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association which had been turned over to the Division temporarily for safekeeping until a new board was installed.

“This election was an important step in moving the Autumn Chase Homeowner’s Association forward in putting the board back to work for the benefit of their community,” said Kara Jenkins, Real Estate Division’s CICCH Ombudsman. “I applaud the efforts of the homeowners who voted and attended today’s meeting, and I am optimistic that this association will strive to make positive changes by going forward.”

The Ombudsman’s Office, a division of the Nevada Real Estate Division, assists Nevada association residents and board members who want to know more about their rights and responsibilities. Free monthly classes and informational forums are provided in order to educate homeowners and help avoid problems. To find an upcoming class, please visit www.red.state.nv.us and click on “Classes and Presentations.”

All HOA residents are welcome. Call Ken Richardson at (702) 486-4480 for registration and information. Can’t attend a class? The slide presentations are posted online, along with other helpful resources.

About the Real Estate Division

The Real Estate Division is an agency of the State Department of Business & Industry. The mission of the Real Estate Division is to safeguard and promote interests in real estate transactions by developing an informed public and a professional real estate industry. The Office of the Ombudsman for Owners in Common-Interest Communities and Condominium Hotels Ombudsman’s Office was created to assist homeowners and board members in common interest communities to better understand their rights and obligations under the law and their governing documents. For more information about the Division or the Ombudsman’s Office, please visit <http://www.red.state.nv.us/>.

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